



General Assembly

**Substitute Bill No. 373**

February Session, 2012

\* \_\_\_\_\_SB00373PH\_APP032312\_\_\_\_\_\*

**AN ACT CONCERNING HEALTH AND SAFETY IN CHILD CARE FACILITIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-82 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) The Commissioner of Public Health shall utilize consultative  
4 services and assistance from the Departments of Education, Mental  
5 Health and Addiction Services and Social Services and from municipal  
6 building, fire and health departments. The commissioner shall make  
7 [periodic] annual inspections of licensed day care centers, group day  
8 care homes and family day care homes. [and] The commissioner shall  
9 provide technical assistance to licensees and applicants for licenses to  
10 assist them to attain and maintain the standards established in  
11 regulations adopted under sections 19a-77 to 19a-80, inclusive, 19a-82  
12 to 19a-87, inclusive, as amended by this act, and 19a-87b, as amended  
13 by this act.

14 (b) Not later than January 1, 2013, and annually thereafter, the  
15 Commissioner of Public Health shall report, in accordance with section  
16 11-4a, to the select committee of the General Assembly having  
17 cognizance of matters relating to children and the joint standing  
18 committee of the General Assembly having cognizance of matters  
19 relating to public health concerning the results of the annual

20 inspections described in subsection (a) of this section.

21 Sec. 2. Subsection (a) of section 19a-87b of the 2012 supplement to  
22 the general statutes is repealed and the following is substituted in lieu  
23 thereof (*Effective October 1, 2012*):

24 (a) No person, group of persons, association, organization,  
25 corporation, institution or agency, public or private, shall maintain a  
26 family day care home, as defined in section 19a-77, without a license  
27 issued by the Commissioner of Public Health. Licensure forms shall be  
28 obtained from the Department of Public Health. Applications for  
29 licensure shall be made to the commissioner on forms provided by the  
30 department and shall contain the information required by regulations  
31 adopted under this section. The licensure and application forms shall  
32 contain a notice that false statements made therein are punishable in  
33 accordance with section 53a-157b. Applicants shall state, in writing,  
34 that they are in compliance with the regulations adopted by the  
35 commissioner pursuant to subsection (f) of this section. Before a family  
36 day care home license is granted, the department shall make an  
37 inquiry and investigation which shall include a visit and inspection of  
38 the premises for which the license is requested. Any inspection  
39 conducted by the department shall include an inspection for evident  
40 sources of lead poisoning. The department shall provide for a chemical  
41 analysis of any paint chips found on such premises. [Neither the  
42 commissioner nor the commissioner's designee shall require] Upon the  
43 granting of a license to maintain a family day care home, the  
44 commissioner shall thereafter make an annual inspection [for homes  
45 seeking license renewal or for licensed homes, except that the  
46 commissioner or the commissioner's designee shall make  
47 unannounced visits, during customary business hours, to at least  
48 thirty-three and one-third per cent of the] of such licensed family day  
49 care [homes each year] home. A licensed family day care home shall  
50 not be subject to any conditions on the operation of such home by local  
51 officials, other than those imposed by the department pursuant to this  
52 subsection, if the home complies with all local codes and ordinances  
53 applicable to single and multifamily dwellings.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2012</i>	19a-82
Sec. 2	<i>October 1, 2012</i>	19a-87b(a)

***PH******Joint Favorable Subst. C/R*****APP**